

Appln No. 09/699,031

Amdt date March 22, 2005

Reply to Office action of December 22, 2004

REMARKS/ARGUMENTS

Claims 1-2, 11, 13, 14, 16, and 22-29 are pending in the application. Claim 1 is objected to because of an informality. Claim 1 is also rejected under 35 U.S.C. § 112, second paragraph as being incomplete for omitting essential steps. Claims 1-2 and 26-29 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,073,075 ("Kondou") in view of U.S. Patent No. 6,334,087 ("Nakano"). Claims 11 and 13-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,754,938 ("Herz") in view of U.S. Patent No. 6,574,734 ("Colson")\ . Claim 16 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Herz in view of Colson and further in view of U.S. Patent No. 6,374,237 ("Reese"). Claims 22-24 are rejected as being unpatentable over Herz in view of U.S. Patent No. 6,546,002 ("Kim"). Claim 25 is rejected under 35 U.S.C. § 103 as being unpatentable over Herz in view of Kim and further in view of Reese. Applicant thanks the Examiner for attention to the application.

Claim 1 is objected to as the word "store" should be "stores". It is believed that the word "store" is correct. The language at issue is "requesting...that the server store the information...". While it is true that a server stores information, it is also possible to request that a server store information. Accordingly, it is believed that the word "store" is correctly used in claim 1. Nevertheless, if the Examiner still believes otherwise, the Examiner is invited to add the trailing "s" in "stores" by Examiner's amendment.

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Claim 1 is also rejected under 35 U.S.C. § 112, second paragraph as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. The Office action points to MPEP § 2172.01. MPEP § 2172.01 indicates that a claim which omits matter disclosed to be essential to the invention as described in the specification or in other statements of record may be rejected under 35 U.S.C. § 112, first paragraph, as not enabling. MPEP § 2172.01 also indicates that such essential matter may include missing elements, steps that are necessary, structural cooperative relationships of elements described by the applicant(s) as necessary to practice the invention.

The Office action indicates that the PCD contains a GPS receiver and processing system, and the PCD determines its position using the GPS receiver and processing system. Although applicant does not believe that claim 1 omits matter disclosed to be essential to the invention as described in the specification or in other statements of record, claim 1 is nevertheless amended to indicate that the personal computer device has a GPS receiver and that the determining relating to location is by the personal computer device using its GPS receiver. In this regard, conforming amendments to claim 2 have also been made. Accordingly, even if the rejection under 35 U.S.C. § 112, second paragraph, were appropriate, the rejection is now moot in view of the amendments to claim 1.

Claim 1 is also rejected under 35 U.S.C. § 103 as unpatentable in view of Kondou and Nakano. Claim 1, as amended, now specifies "determining by the personal computer device using

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its GPS receiver, a location at which the personal computer device becomes relative immobile; transmitting by the personal computer device, the location at which the personal computer device becomes relatively immobile to a server." It is not believed that such is disclosed or suggested by either Kondou or Nakano. Accordingly, claim 1 is allowable.

In addition, claim 1 specifies "requesting, by the personal computer device, that the server store the information in a database associated with a user of the personal computer device." The Office action, pointing to Kondou at col. 2, lines 16-25 indicates that Kondou discloses requesting information regarding a route from an information server, receiving information regarding the route from the information server, and storing information regarding the route from a mobile terminal. The Office action also appears to indicate that in Nakano that updated information for particular elements, regarding a route, are transmitted to the mobile terminal. From this, it appears that the Office action believes it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kondou to include storing the requested map at the server as taught by Nakano.

However, in Nakano "an object of the present invention is to realize a map information providing system capable of providing detailed, wide-ranging map related information from a server to a moveable terminal through telecommunications at low cost." Nakano, col. 1, lines 49-54. This is because "telecommunications costs increase as the amount of information to be transmitted increases." Nakano, col. 1, lines 43-44.

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Also in Nakano "since a driver needs only map information that is closely related to the route in the map related information, the present embodiment downloads only the route related information. Thus, the amount of information transmitted is reduced compared to that when the whole map related information is downloaded, and as a result it is possible to provide detailed, wide-ranging map related information through telecommunications at low cost." Nakano, col. 15, lines 32-39. Thus, it would appear that Nakano teaches away from a concept of storing additional information at the server side, even if such a concept were applicable to claim 1.

Moreover, in Nakano "map related information can be decomposed into several elements expressed in patterns and further the style of the original map related information composed of these elements can be represented by templates, these elements and templates are stored in the mobile terminal side." Nakano, col. 15, line 65 to col. 16, line 3. Thus, that "the elements may be downloaded from the server side to be added to the elements stored in the mobile terminal side or to update the stored elements" (Nakano, col. 22, lines 16-19) is largely irrelevant to claim 1. Accordingly, claim 1 is further allowable.

Accordingly claim 1 is allowable, as are dependent claims 2, and 26-29.

Claim 2, dependent on claim 1, is also rejected in view of Kondou and Nakano. As claim 1 is allowable, claim 2 is also allowable. However, claim 2 further specifies "evaluating the position of the personal computer device using the GPS receiver;

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waiting a preselected time period; reevaluating the position of the personal computer device using the GPS receiver; and determining if the position of the personal computer device before and after waiting the preselected time period is substantially the same." The Office action points to Kondou, col. 5, lines 6-36 for disclosing such. In the cited portion of Kondou, a user "connects a mobile terminal 10 to the telephone line and starts up a program which inquires the situation of the road, using the mobile terminal 10." Kondou, col. 5, lines 9-13. It also appears that in the cited portion of Kondou the user's current place and the destination input by the user are provided to an information server. Kondou, col. 5, lines 19-21. The server determines the areas of the user's current place and destination and determines the range of areas to be retrieved. Kondou, col. 5, lines 22-26. It does not appear that Kondou discloses or suggests a method as claimed in claim 2. Accordingly, claim 2 is further allowable.

Claim 22 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Herz in view of Kim. Claim 22 specifies, in part, "the user having multiple profiles associated with the user, the multiple profiles including a profile including information about the user and a copied profile, the copied profile being a modified copy of another profile associated with the user, the copied profile being, when created, a copy of another profile associated with the user." The Office action indicates that Kim teaches the use of a copied profile in that profile data is stored in two locations; and the database master 136 and also a local database 160 in a form of a cached copy.

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Kim, col. 7, lines 38-41. However, in Kim "the profile data 138a, 138b must be synchronized for each MIA user." Kim, col. 7, lines 42-43. Thus in Kim the copied profile must be, and remain, an exact duplicate of the user's profile. Accordingly, Kim, and Kim in view of Herz, do not disclose or suggest the invention of claim 22. Accordingly, claim 22 is allowable, as are dependent claims 23-25.

Accordingly, the application is now in condition for allowance, and allowance of same is respectfully requested.

Respectfully submitted,

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